

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MUSTAFA WHITFIELD,	§
	§ No. 481, 2011
Defendant Below-	§
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware, in and
	§ for New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 0210009174
	§
Plaintiff Below-	§
Appellee.	§

Submitted: November 19, 2011

Decided: November 22, 2011

**ORDER**

This 22<sup>nd</sup> day of November 2011, it appears to the Court that, on November 4, 2011, the Clerk of the Court issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to diligently prosecute his appeal by not filing his opening brief and appendix. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b) 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs

Justice